

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 1/7/2025

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

-v-

RUDOLPH W. GIULIANI,

Defendant,

-and-

ANDREW H. GIULIANI,

Intervenor-Defendant.
----- X

RUBY FREEMAN and WANDREA' MOSS,

Plaintiffs,

-v-

RUDOLPH W. GIULIANI,

Defendant.
----- X

24-mc-00353 (LJL)

24-cv-06563 (LJL)

ORDER

LEWIS J. LIMAN, United States District Judge:

The Court ordered the parties, including intervenor, to submit joint pretrial orders, as well as other submissions, by 5 p.m. today, January 7, 2025. 24-cv-06563, Dkt. No. 185; 24-mc-00353, Dkt. No. 219. Plaintiff timely filed a proposed pretrial order reflecting the participation of intervenor. 24-cv-06563, Dkt. No. 191; 24-mc-00353, Dkt. No. 221. The proposed pretrial orders reflect that counsel for the Defendant failed to make himself available to meet and confer. *Id.* Instead, at 4:50 p.m., counsel for Defendant emailed Chambers his exhibit list, and at 4:57

p.m., counsel for Defendant emailed Chambers what he represented were joint pretrial orders agreed to by all parties in both matters. The emailed joint pretrial orders make reference to an attached joint exhibit list but do not attach the exhibit list. Nothing was filed on the docket. The Court would be within its prerogative to preclude Defendant from offering exhibits that are not contained in the joint pretrial orders filed by Plaintiffs. Counsel for Plaintiffs have not asked for such relief, however, and—assuming Defendant complies with this Order—would not be entitled to it.

The Court cannot go to trial with two competing joint pretrial orders, and it is not required to go to the effort of reconciling the competing submissions. Before 9:30 p.m. tonight, Defendant is ordered to serve Plaintiffs and Intervenor, by email to all counsel appearing for Plaintiffs and Intervenor, his proposed exhibit list in each of these matters, as well as any edits to the joint pretrial orders submitted by Plaintiffs. Failure to do so will result in waiver of the right to submit exhibits not otherwise included in the filed joint pretrial orders. Defendant's counsel is also ordered to meet and confer with Plaintiffs' counsel tomorrow morning at a time before 11:30 a.m. selected by Plaintiffs' counsel (which Plaintiffs' counsel should provide by 9:30 pm tonight). Plaintiffs shall file revised joint pretrial orders on the dockets of each of these cases by 2 p.m. tomorrow. No other pretrial submissions will be received by the Court (except for the response to Plaintiffs' motions in limine), the time period for any other such submissions having expired.

Dated: January 7, 2025
New York, New York



LEWIS J. LIMAN
United States District Judge